

1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE DISTRICT OF MARYLAND  
3                   (Northern Division)  
4  
5       MELVIN NEWSOME, et al.,                   )  
6    Plaintiffs, )  
7                   vs.   ) Civil Action  
8       UP-TO-DATE LAUNDRY, INC., et al., ) No. S01-2257  
9   Defendants. )

10   -       -       -       -       -

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12                   DEPOSITION OF BRAD MINETREE  
13   Baltimore, Maryland  
14   Thursday, February 13, 2003  
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16       The videotaped deposition of BRAD MINETREE was  
17       convened on Thursday, February 13, 2003,  
18       commencing at 10:08 a.m., at the offices of  
19       Whiteford, Taylor & Preston, 7 St. Paul Street,  
20       Suite 1300, Baltimore, Maryland, before Sal  
21       Napolitano, Notary Public in and for the State of  
22       Maryland.

1           A.    Out of frustration I could say the word  
2           not meaning it to any one individually or a race.

3           Q.    So you just -- do you use it as a swear  
4           word, is that what you're saying, out of  
5           frustration?

6           A.    Not a common one, no. But yes, I've used  
7           it occasionally. I've said it. But not directed  
8           to the race. Not directed to a person  
9           specifically.

10          Q.    So you never use the word nigger to refer  
11          to blacks, is that what you're saying?

12          A.    That's what I'm saying. I use the word,  
13          but not directed to a single person.

14          Q.    And do you -- when you say the word  
15          nigger, to you does it mean that you're referring  
16          to or discussing a black person?

17          A.    No.

18          Q.    Give me an example of how you'd use the  
19          word nigger in a sentence then.

20          A.    I don't use the word in a sentence.

21          Q.    Give me an example of how you'd use it  
22          period.

1 Q. Have you heard him use it in any other  
2 sense or --

3 A. Only time I heard him say anything is  
4 toward me directly.

5 Q. Now, do you ever use the term nigger at  
6 the workplace, Up-To-Date Laundry?

7 A. What do you mean use the word nigger at  
8 the workplace?

9 Q. Okay. You're the president of Up-To-Date  
10 Laundry, right?

11 A. Yes, I am.

12 Q. Okay. How long have you been president  
13 of Up-To-Date Laundry?

14 A. Since 1993-94.

15 Q. And you've worked there continuously  
16 since the 1993-94 time frame, right?

17 A. Yes.

18 Q. Okay. During that time frame have you  
19 used the word nigger at the Up-To-Date Laundry  
20 plant?

21 A. Yes.

22 Q. And have you used that word in front of

1 black employees?

2 A. Describe in front.

3 Q. In their hearing. Within their hearing,  
4 sir.

5 A. It's possible.

6 Q. Have you ever used -- do you know the  
7 word coon, have you ever heard that word?

8 A. I've heard it in my lifetime, yes.

9 Q. And do you ever use the word coon?

10 A. No.

11 Q. Ever heard the word Kunte Kinte?

12 A. Only time I heard that was that movie.

13 Q. What does Kunte Kinte mean to you?

14 A. It was the name of the gentleman in the  
15 movie.

16 Q. You ever refer to any employee at  
17 Up-To-Date Laundry at Kunte Kinte?

18 A. No.

19 Q. You ever called Joseph Lloyd Kunte Kinte?

20 A. No.

21 Q. Can you give me -- you gave one example  
22 of using the word nigger-rig-it. Can you give me

1 any other example of how you would use the word  
2 nigger during your speech?

3 A. Not off the top of my head.

4 Q. Do you think -- strike that.

5 I'm not familiar with this term  
6 nigger-rig-it and is it fair to say that  
7 nigger-rig-it is defined as not correctly fixing  
8 something but instead using old or other used  
9 parts to fix something?

10 A. Yeah.

11 Q. Well, if you think of any other way in  
12 which you use the word nigger during your -- at  
13 Up-To-Date Laundry or just as a matter of speech  
14 during the course of this deposition, you can let  
15 me know, okay?

16 A. Okay.

17 Q. Is it fair to say you've only thought of  
18 one way you use it right now and that's  
19 nigger-rig-it?

20 A. It's not a thing that I say a lot.

21 Q. Well, I'm asking when you use it --

22 A. What's --

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1 A. I don't recall a conversation.

2 Q. Did you tell Frank Minniti that you're  
3 not going to worry about whether blacks are paid  
4 less than Hispanics?

5 A. I don't recall the conversation.

6 Q. Did you tell Frank Minniti that blacks  
7 are looking for handouts?

8 A. No.

9 Q. You didn't tell him that?

10 A. No.

11 Q. Did you tell him that Hispanic workers at  
12 Up-To-Date Laundry make more money in general than  
13 African Americans?

14 A. No.

15 Q. Did you ever talk to him about the EEOC  
16 complaints?

17 A. No.

18 Q. Did you tell him that your response to  
19 the EEOC complaints would be to stall?

20 A. No.

21 Q. Did you tell him that your response to  
22 the -- not the EEOC complaints but the Maryland

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1 Commission on Human Relations complaints would be  
2 to stall?

3 A. No.

4 Q. Did you tell him that your response to  
5 these administrative complaints would be to delay?

6 A. No.

7 Q. You said that you have a doubt about  
8 Mr. Minniti's credibility because he paid  
9 employees to do work. What do you mean by that?

10 A. If an employee wasn't doing his designed  
11 job assignment, he would give them money above and  
12 beyond the hourly rate that he was paid.

13 Q. Was that authorized by you?

14 A. No, it was not.

15 Q. Was it authorized by any person?

16 A. No, it was not.

17 Q. How do you know that practice took place?

18 A. He told me.

19 THE VIDEOGRAPHER: This ends videotape  
20 number one, we're going off the record at 12:20.

21 (A recess was taken.)

22 THE VIDEOGRAPHER: This begins videotape

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1 Q. So should he have been fired or  
2 disciplined for saying why in the hell hasn't it  
3 been done yet?

4 A. I told him to stop yelling at the  
5 employees.

6 Q. Did anyone ever tell you to stop yelling  
7 at employees?

8 A. I never yelled to employees so no one  
9 told me to stop yelling at the employees.

10 Q. You ever use the word nigger at the  
11 Up-To-Date Laundry facility --

12 A. I think I answered that question.

13 MS. PHELAN: We have been up and down  
14 that road.

15 BY MR. SIMON:

16 Q. -- when Mike Kennedy was in your  
17 presence?

18 A. No.

19 MR. SIMON: All right, it's one o'clock,  
20 I propose we take a lunch break.

21 MS. PHELAN: Fine with me.

22 THE VIDEOGRAPHER: Going off the record at



1 Q. Now, I want to know what impact prior  
2 experience in a laundry had on an employee's wage  
3 rate when they started at Up-To-Date Laundry,  
4 that's what I'm trying to figure out, how much of  
5 an impact, if any, that had.

6 A. How much of an impact on how much I  
7 offered them?

8 Q. Yes, sir.

9 A. Impact to?

10 Q. Their wage. Their starting salary.

11 A. Well, they'd say I won't come for less  
12 than this, how many years they've been there, how  
13 bad of a need we needed somebody, because the  
14 turnover was pretty bad, absenteeism was real  
15 bad --

16 Q. So if someone -- you're saying there was  
17 a constant need for employees during this period  
18 '98-99, right?

19 A. Oh, yes.

20 Q. Did you turn down applicants to  
21 Up-To-Date Laundry?

22 A. Not many. That I can remember.

1           A.    How long ago they were fired from another  
2           facility, how much time between the jobs they had,  
3           see how eager they were.

4           Q.    Would you check references for applicants  
5           at Up-To-Date Laundry?

6           A.    No, we'd go by the application.

7           Q.    Was part time or full time a factor in  
8           setting a wage rate at Up-To-Date Laundry?

9           A.    Not to my knowledge.

10          Q.    Was shift, different shift subject to any  
11          difference in wage rate, that is, you know, day  
12          shift, morning shift, a night shift?

13          A.    No.

14          Q.    What about different types of laundry  
15          experience, I mean were you differentiating  
16          between commercial laundry experience and for  
17          instance hotel laundry experience or was it -- or  
18          is that all comparable?

19          A.    It would to be -- excuse me. It would  
20          depend on what position we were hiring for.

21          Q.    Well, if you're hiring for a position  
22          such as department 100 or 300, how would that

1 hour, I told them to get experienced people up  
2 here, she told me they won't work for less than  
3 \$6, we had a need for employees --

4 Q. So you --

5 A. -- we hired almost everybody that walked  
6 in the door --

7 Q. So you gave her then the authorization to  
8 bring those people on board at \$6 an hour, right?

9 A. Yeah, I told her make sure you interview  
10 and they have experience.

11 Q. Even if they did not have experience you  
12 authorized her to hire --

13 A. No, I didn't say that.

14 Q. So you're saying you told --

15 A. I wasn't there every time she  
16 interviewed. I didn't look at every application.

17 So how can I tell her to hire someone that I  
18 didn't look at the application?

19 Q. Did you give her authorization to hire  
20 employees from the Washington, D.C. area --

21 A. I told you I told --

22 Q. Let me just finish.

1                   -- who did not have any prior laundry  
2           experience at a rate of \$6 an hour?

3           A.    No, I did not tell her that.

4           Q.    Did you tell her that she could not hire  
5           employees from the Washington, D.C. area at the  
6           rate of \$6 an hour if they didn't have any prior  
7           laundry experience?

8           A.    I don't remember I said that.

9           Q.    Isn't it true, sir, that Up-To-Date  
10          Laundry, that Up-To-Date Laundry was hiring these  
11          workers from the Washington, D.C. area and that  
12          they were all Hispanics?

13          A.    We didn't look at it as a race factor.

14          Q.    Weren't they all Hispanics?

15          A.    I would say most of them were, but that's  
16          not what we were looking at.

17          Q.    Did you know in fact, sir, whether there  
18          was any black hired from the Washington, D.C.  
19          area?

20          A.    Yes.

21          Q.    Who was that?

22          A.    I can't remember her name. She used to

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1 right?

2 A. Yeah, I read it.

3 Q. And isn't it fair to say that the workers  
4 who signed this letter are black?

5 A. Yes.

6 Q. And these workers were raising concerns,  
7 these black workers were raising concerns that  
8 were -- and requesting better pay and an end to  
9 harassment, right?

10 A. We were in a campaign with the union.  
11 The union was recruiting people, getting everybody  
12 riled up, you have some followers and you don't  
13 have some followers.

14 Q. Did you understand this to be a letter  
15 from black employees complaining about harassment  
16 and asking for better pay?

17 A. I've read the letter.

18 Q. And is that what you understood it to  
19 mean, sir?

20 A. That's what it says.

21 Q. What it says is the black employees are  
22 asking for better pay and an end to harassment,

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3                   (NORTHERN DIVISION)  
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6                                   Plaintiffs,                   ) Civil Action  
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8       UP-TO-DATE LAUNDRY, INC., et al.,       )  
9                                   Defendants.                   )

10

11   Wednesday, May 21, 2003  
12   Towson, Maryland

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14                   DEPOSITION OF BRAD MINETREE (VOLUME II)

15

16                   The videotaped deposition of BRAD MINETREE  
17       was resumed on Wednesday, May 21, 2003, at 10:15  
18       a.m., taken at 15 East Chesapeake Avenue, Towson,  
19       Maryland, before Raymond G. Brynteson, RDR-CRR and  
20       Notary Public.

21

22

BRYNTESON REPORTING, INC.                   (703) 768-8122

1 Q. Did either Amy Mattis or Linda Marr ever  
2 counsel or talk to you about comments you made in  
3 the workplace regarding racial issues or race?

4 A. No.

5 Q. Do you know Noe Torillo?

6 A. Yes.

7 Q. Who is he?

8 A. First shift supervisor.

9 Q. Was there ever an issue or an incident  
10 that you are aware of, sir, where he was involved  
11 with a mistake that led to some linens from Church  
12 Home being burned?

13 A. I don't remember the incident.

14 Q. Do you remember anything about Church Home  
15 pads being burned or otherwise destroyed or ruined?

16 A. Not at the present time, no.

17 Q. Do you know Santos Hernandez?

18 A. If that's the one I am thinking of.

19 Q. He used to work in the tunnel area.

20 A. In the old building?

21 Q. Yes, sir, and in the new building.

22 A. Never in the new building.

1 Q. Did you ever tell her, did anyone ever  
2 tell her that her work was slow?

3 A. I believe so.

4 Q. I am not asking if you believe so. I am  
5 asking if it ever happened?

6 A. I don't know.

7 Q. Sir, you are familiar with the work in the  
8 soil room, we have already talked about that a  
9 little bit, but that's the department where the  
10 dirty linens are brought into the plant, right, the  
11 soil room?

12 A. Yes, the soil room, yes.

13 Q. And would you say that that is probably  
14 the dirtiest job in the plant, as far as dealing  
15 with the soiled linens from hospitals and other  
16 clients?

17 A. Yes.

18 Q. How do you account for the fact that  
19 during 1999, of the roughly 245 employees assigned  
20 to that department, 225 of them were black?

21 A. As I stated before, Mr. Ashley not only  
22 tried to recruit people he knew or associated with,



1 was.

2 Q. Did it have anything to do with race and  
3 race characteristics at the company?

4 A. I can't sit here and say exactly what that  
5 report was. My main concentration was customers  
6 and production.

7 Q. Did you ever hear Dave Minetree use the  
8 word nigger at the workplace?

9 A. In the office.

10 Q. You did hear him use it in the office?

11 A. Yes.

12 Q. Is that appropriate, sir?

13 A. He said it to me, and no.

14 Q. Was he ever disciplined for using the word  
15 nigger in the workplace?

16 A. I could not discipline David.

17 Q. Did you ever propose that David Minetree  
18 be disciplined for using the word nigger in the  
19 workplace?

20 A. Well, yes.

21 Q. Is that in writing?

22 A. No.

1           She got complaining about her boyfriend  
2   that lived there, that never gave any money, so,  
3   yes, that's how that comment came up. I mean, if  
4   you are going to let the boyfriend live there, or  
5   your fiance live there, then he needs to help pay  
6   for the children.

7           Q. Did you ever ask any employees for sex at  
8   Up-to-Date Laundry other than the employees that we  
9   have already discussed here today?

10          A. No.

11          Q. Did you ever tell Celeste Ireland not to  
12   complain about harassment to Nancy Stair?

13          A. No.

14          Q. Did you ever call black employees at  
15   Up-to-Date Laundry black motherfuckers?

16          A. No.

17          Q. Do you know if your brother was having  
18   sexual relationships with employees at Up-to-Date  
19   Laundry?

20          A. I have no idea what my brother was doing.  
21   Can I take a break for the restroom?

22          Q. Sure.



1 A. No.

2 Q. Joseph Lloyd raised an allegation that you  
3 approached him and grabbed his chest at one point  
4 in time. Is that true?

5 A. No.

6 Q. That never happened?

7 A. No.

8 Q. Did you ever tweak his nipples and say,  
9 other guys have titties, where are yours?

10 A. No. The only thing I done was with my  
11 flat hand, just like that on his chest. That's the  
12 only thing.

13 Q. Why did you do that?

14 A. I was congratulating him on something and  
15 we were just talking. We had good communication  
16 between the two.

17 Q. Can you recall what you were  
18 congratulating him about?

19 A. No.

20 Q. Do you know an employee by the name of  
21 Shumara Harrera, a former employee?

22 A. I think I know who you are talking about.

1 something nice for the customers to come and see.

2 Q. Mr. Minetree, just shifting gears for a  
3 second, did you ever call Rudolph Curtis, who is a  
4 former employee, one of the Plaintiffs in this  
5 case, did you ever refer to him as a monkey or  
6 Bubba?

7 A. No.

8 Q. Did you ever refer, to black employees, to  
9 their liking for chicken or watermelon?

10 A. We asked them, if you are referring to  
11 when we were in the old building, we asked them  
12 what they would like to have, and they said either  
13 chicken or watermelon, and that's what we got.

14 Q. Did you ever make comments like blacks  
15 love chicken and watermelon?

16 A. I love chicken and watermelon.

17 Q. I am talking about blacks.

18 A. No.

19 Q. Did Nancy Stair ever get on the PA at any  
20 point in time and make a comment about blacks as  
21 far as drug use or use of alcoholic beverages, that  
22 you are aware of?